

Midwest Fibernet Inc.

Midwest Fibernet Inc.

INTEREXCHANGE SERVICE  
TARIFF KY. P.S.C. NO. 1

KY P.S.C. NO. 1  
Section 1  
Original Sheet No. 1

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EXPLANATION OF SYMBOLS

- C - Change in rate, charge or regulation.
- D - Delete or discontinue.
- I - Increase in rate or charge.
- M - Moved from one page to another with no change to text, regulation, or rate.
- N - New rate, regulation, or text.
- R - Reduction in rate or charge.
- S - Reissued material.
- T - Change in text, but no change to rate, charge or regulation.
- X - Correction of error or omission.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
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PURSUANT TO 807 KAR 5:011,  
SECTION 9 (1)

BY: Shay L. Hill  
PUBLIC SERVICE COMMISSION MANAGER

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Issued: June 29, 1990

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By: Richard E Gibbens  
President and Chief Operating Officer  
121 South 17th Street,  
Mattoon, Illinois 61938

## INTEREXCHANGE SERVICE

Check Sheet

The Title Page and pages listed below inclusive of this Tariff are effective as of the date shown. Original and revised pages, as named below, comprise the Tariff in effect as of the date indicated.

<u>Section</u>	<u>Sheet</u>	<u>Revision</u>	<u>Section</u>	<u>Sheet</u>	<u>Revision</u>
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1	3	Original	5	3	Original
1	4	4th*	5	4	Original
1	5	1st	6	1	Original
1	6	Original	6	2	Original
1	7	Original	6	3	Original
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3	4	2nd			
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3	6	Original			
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4	3.1	Original			
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4	7	Original*			

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BY: Jordan C. Neal  
FOR THE PUBLIC SERVICE COMMISSION

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## INTEREXCHANGE SERVICE

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KY P.S.C. No. 1  
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PUBLIC SERVICE COMMISSION MANAGER

2. Rules and Regulations

2.1 Undertaking of Midwest Fibernet Inc.

Midwest Fibernet Inc's (MFI) services and facilities are furnished for intra-State, inter-LATA communications originating and terminating at specified points, listed in Section 3.2 following, within the State of Kentucky under the terms of this Tariff.

MFI undertakes to install, operate, and maintain the communication services provided hereinunder in accordance with the terms and conditions set forth in this Tariff. It may, upon customer signing a letter of agency, act as the customer's agent for ordering and billing of Local Access Connection facilities provided by other carriers or entities, to allow connection of a customers location(s) to the MFI Network. The customer shall be responsible for all charges due to such service arrangement.

MFI services and facilities are provided on a monthly basis, unless ordered on a longer term basis, and are available twenty-four hours a day, seven days a week.

2.2 Limitations

2.2.1 Service is offered subject to the availability of facilities and the provisions of this Tariff.

2.2.2 MFI reserves the right to discontinue furnishing service, upon written notice, or limit the use of service when necessitated by conditions beyond its control; or when the customer is using the service in violation of the provisions of this Tariff, or in violation of the law.

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INTEREXCHANGE SERVICE  
TARIFF KY. P.S.C. NO. 1

KY. P.S.C. NO. 1  
Section 2  
Original Sheet No. 2

2. Rules and Regulations (Cont'd)

2.2 Limitations (Cont'd)

2.2.3 All facilities provided under this Tariff are directly controlled by MFI and the customer may not assign or transfer the use of service or facilities, except with the express written consent of MFI. Such assignment or transfer shall only apply where there is no interruption of the use or location of the service or facilities. Such assignment or transfer may be made to:

(A) Another individual, partnership, association or corporation, etc. provided the assignee or transferee assumes all outstanding indebtedness for such service or facilities and any unexpired portion of a minimum service period.

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2. Rules and Regulations (Cont'd)2.2 Limitations (Cont'd)

- 2.2.3 (B) A court appointed receiver, trustee, or other person acting pursuant to law in bankruptcy, receivership, reorganization, insolvency, liquidation or other similar proceedings, provided the assignee or transferee assumes any unexpired portion of a minimum service period.

Prior written permission of MFI is required in all cases of assignment or transfer. All regulations and conditions contained in this Tariff shall apply to such permitted assignees or transferees, and all conditions of service including, but not limited to, minimum service periods and other liabilities shall apply as if there were no interruption of such service period(s).

2.3 Liabilities of MFI

- 2.3.1 MFI's liability for damages arising out of mistakes, omissions, interruptions, delays, errors, or defects in the transmission occurring in the course of furnishing service or facilities, and not caused by negligence of its employees or agents, in no event shall not exceed an amount equivalent to the proportionate charge to the customer for the period of service during which mistakes, omissions, interruptions, delays, errors, or defects in transmission occur.
- 2.3.2 MFI shall not be liable for damage arising out of the fault of any facilities or equipment furnished by other carriers, or caused by negligence of other than MFI, including negligence on the part of the customer.
- 2.3.3 MFI is not liable for any unavoidable damage, defacement or destruction of the premises of the customer, whether owned by the customer or others, caused or claimed to have been caused directly or indirectly by the installation, operation, maintenance, location, or use of MFI service or facilities that is not the direct result of MFI's negligence. The customer will indemnify and save harmless MFI from any and all loss, claims or demands whatsoever asserted by the owner of the customer's premises, or other third party claims, for such damages.

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PUBLIC SERVICE COMMISSION MANAGER

2. Rules and Regulations (Con't)

2.3 Liabilities of MFI (Con't)

2.3.4 MFI is not liable for any act or omission of any other company or companies furnishing a portion of the end-to-end service or facilities, whether such other company is directly or indirectly under the control of MFI.

2.3.5 MFI shall be indemnified and held harmless by the customer against:

(A) Claims for libel, slander, or infringement of copyright arising out of the material, data, information, or other content transmitted over MFI's facilities.

(B) Patent infringement claims arising from combining or connecting MFI-furnished facilities with apparatus and systems of the customer, or others.

(C) All other claims arising out of any act or omission of the customer in connection with any service or facility provided by MFI.

2.4 Restoration of Service

The use and restoration of facilities or service in emergencies shall be in accordance with Part 64, subpart D of the Federal Communications Rules and Regulations which specifies the priority system for such activities.

2.5 Obligations of the Customer

2.5.1 The customer is obligated to place orders for origination, termination, and/or changes to MFI service or facilities; pay all charges for service or facilities rendered by MFI; and to comply with all MFI's regulations governing the provision of service or facilities. The customer is also responsible for assuring that its authorized users comply with the regulations of MFI, as specified in this Tariff.

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2. Rules and Regulations of MFI (Con't)

2.5.2 When placing an order for service or facilities, the customer must provide:

- (A) Name(s) and address(es), of the person(s) liable for the payment of service charges. In the case of a corporation or partnership, a designated individual shall be named responsible for such bill responsibility.
- (B) Name(s) address(es) and telephone number of person(s) to whom notices shall be addressed by MFI.
- (C) Location(s) at which facilities and services are to be provided.

2.5.3 The customer shall reimburse MFI for the replacement or repair of MFI's equipment when the damage results from:

- (A) Negligence or willful act of the customer's employees, agents, or contractors, or authorized users.
- (B) Loss through theft, fire, flood, cable cut, or other catastrophes to MFI-provided equipment or facilities located on the customer's premises.

After receipt of payment for the damages, MFI will cooperate with the customer in prosecuting a claim against any third party whom the customer identifies as causing, or responsible for, the damage or loss.

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1. Technical Terms and Abbreviations

1.1 Definitions

Certain terms used throughout this Tariff are defined as follows:

Authorized user - a customer, or a person(s) designated by a customer to use or communicate over such services or facilities as may be provided by this Tariff.

Bit - a "bit" is the smallest unit of information in the binary system of notation.

Company - Midwest Fibernet Inc. (MFI).

Contract - an agreement between a customer and the Company, under which service and/or facilities are provided.

Cost - The amount of labor, material and engineering, including general Company operating expenses and overhead, expended on behalf of a customer or for the provision of service under this Tariff, or in preparation thereof.

Customer - the individual firm, partnership, association, corporation, cooperative or governmental agency which contracts for MFI service and/or facilities, and which is responsible for the payment of rates and charges and with compliance with the rules and regulations of the Company.

Customer-provided facilities or equipment - equipment or facilities provided by other than MFI when connected to MFI services and/or facilities. The responsibility for connection in compliance with FCC Rules, Part 68, and for all maintenance of such equipment and/or facilities shall be the sole responsibility of the customer.

Individual Case Basis - The term "Individual Case Basis" denotes a condition in which the regulations, if applicable, rates and charges for an offering under the provisions of this tariff are developed based on the circumstances, including costs to provide service, in each case (ICB).

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**1. Technical Terms and Abbreviations (Cont'd)****1.1 Definitions (Cont'd)**

**Initial Service Period** - the minimum length of time for which a customer is obligated to pay for service, facilities or equipment, whether or not retained by the customer for such minimum period of time. Unless otherwise specified, the minimum period is thirty (30) days following service installation.

**Market Service Area** - a geographical area consisting of one or more exchanges, as defined by the Kentucky Public Service Commission, for the administration of tariffs, services and other regulatory obligations.

**Non-Recurring Charge** - a one-time charge either in lieu of, or in addition to, recurring monthly charges for service/facilities.

**Non-Switched Service** - communications, services, and or facilities, provided for customer's use which do not utilize the public switched message network (toll network); and which are provided between customer designated locations.

**Private Line Service** - see non-switched service.

**Segment** - Portion of interexchange carrier network between two adjacent points of presence.

**Subscriber** - see customer.

**Switched Service** - communications, services, and or facilities, provided for customer's use which utilize the public switched message network (toll network).

**Tariff** - any and all of the body of rates, terms, conditions, and charges for MFI facilities and/or service as filed with, and approved by, the Kentucky Public Service Commission.

**1.2 Abbreviations**

ICB	-	Individual Case Basis
Kbps	-	Kilobits per second, one thousand bits per second.
Mbps	-	Megabits per second, one million bits per second.
MFI	-	Midwest Fibernet Inc.
rms	-	Root-mean-square

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2. Rules and Regulations (Cont'd)

2.5 Obligations of the Customer (Cont'd)

2.5.4 When facilities, equipment, and/or communications systems provided by others are connected to MFI's services or facilities, the customer assumes additional liabilities as specified by the provider of such facilities, equipment and services. Such liability may include payment of charges, minimum service periods, and termination liabilities. When service, equipment or facilities are provided by third parties MFI may, upon written customer request, act as the customer's agent, but all payment and charges shall continue as the direct responsibility of the customer.

2.6 Availability of Service/Facilities for Maintenance, Testing and Adjustment

Upon reasonable notice, MFI reserves the right of entrance for its employees, agents, or contractors to the premises of the customer for the purpose of installing, inspecting, repairing, or general maintenance of the service or facilities of MFI. It is the responsibility of the customer to make necessary arrangements for entrance of MFI's employees, agents, or contractors. No interruption allowance will be granted for the time during which such tests and adjustments are made.

2.7 Charges and Payment for Service or Facilities

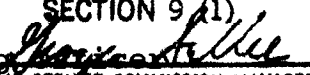
2.7.1 General

- (A) Charges for service and facilities may be applied on a recurring and/or non-recurring basis.
- (B) The minimum service period will be not less than one month (30 days), unless otherwise specified in this Tariff.
- (C) Service will continue to be provided until canceled by the customer, in writing, on not less than thirty (30) days notice.

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2. Rules and Regulations (Cont'd)

2.7.2 Payment

Payment will be due within ten (10) days after the date the billing statement is issued by MFI and mailed to the customer. Any payment received later than thirty (30) days after Bill Date will be subject to an interest charge on delinquent amounts at the rate of 1/2% of the late payment per month or the maximum lawful rate allowed under applicable state law, whichever is lower.

(A) The customer is responsible for payment of all charges for services or facilities furnished by MFI. MFI, in order to safeguard its interests, reserves the right to require a customer to make a deposit prior to provision of service or facilities, not to exceed two months estimated recurring monthly rates. Deposits may be returned after one (1) year of satisfactory credit history and bill payment to MFI. Deposits will bear interest at the rate of 6% per annum.

(B) Statements will reflect the charges for service or facilities that are in effect during the period the service is furnished. If any charges for a period covered by a bill change after the bill has been rendered, the next bill will be adjusted to reflect the new changes, including appropriate credit or debit amounts for such prior periods.

2.7.3 Billing Period

Billing will start the day of acceptance by the customer of MFI service, facilities, or equipment. Service will end on the last day indicated by customer thru notification in accordance with Section 2.7.1(C) preceding.

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2. Rules and Regulations (Con't)

2.7 Charges and Payment for Service or Facilities (Cont'd)

2.7.4 Description of Charges

- (A) Recurring Monthly Charges - For billing purposes, each month is considered to have thirty days. If the billing start date and end date do not coincide with billing periods or months, the bill charges will be adjusted to reflect the fractional part of the month involved.
- (B) Non-Recurring Charges - Applies to a work activity done on a one-time-only basis, such as the installation of facilities; and is applied to each activity performed.
- (C) Fractional Charges - Charges for a fractional part of a month are calculated by counting the number of days remaining in the billing period after service is furnished, or has been discontinued. The number of days remaining in the billing period are counted starting with the day the service was furnished or discontinued. Divide that figure by thirty days. The resultant fraction is then multiplied by the monthly charge to arrive at the fractional monthly charge.

2.7.5 Advance Payments

Customers for whom MFI deems an advance payment necessary shall make such advance payment for installation, non-recurring and/or one months' service charges in advance of the furnishing of service or facilities by MFI. Such payments shall be in addition to deposit amounts as specified in 2.7.2(A) preceding. Such advance payments may be refunded to the customer if the request for service is canceled prior to actual installation of service or facilities subject to 2.7.8 following (Cancellation of Service).

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PUBLIC SERVICE COMMISSION MANAGER



2. Rules and Regulations (Cont'd)

2.7 Charges and Payment for Service of Facilities (Cont'd)

2.7.6 Allowance for Interruption of Service

An "Interruption" means any two (2) second interval with a complete interruption of transmission or a bit error rate worse than  $3.3 \times 10E^{-7}$  for a particular communications path within a particular Segment. In the event of an Interruption in the Service provided under this Agreement, allowance for the period of Interruption with respect to each Segment (under one or more Service Descriptions) affected by such Interruption, if not due to the fault or negligence of the Customer, shall be as follows:

- (A) No credit shall be allowed for an Interruption of six hours or less in the case of a Catastrophic Interruption, or of two hours or less in the case of a Non-Catastrophic Interruption, Customer shall be credited for an Interruption in excess of six hours or two hours, as the case may be, at the rate of 1/1440 of the monthly rate or charge (as set forth under "Service Charge" in each Service Description) applicable to the Service which is subject to the Interruption for each half-hour or major fraction thereof that an Interruption continues, such Interruption to be measured from (i) the time of notice by Customer to Seller that an Interruption has occurred to (ii) the time of restoration. For purposes of the foregoing, "Catastrophic Interruption" includes a complete cable cut, an equipment enclosure fire, an explosion, or any other circumstance of an extraordinary and catastrophic nature; and "Non-Catastrophic Interruption" includes all interruptions other than Catastrophic Interruptions. The limitation of refunds or credits due a customer by MFI shall not exceed the period in which an outage or service deficiency occurs.

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2. Rules and Regulations (Cont'd)

2.7.6 Allowance for Interruption of Service (Cont'd)

- (B) When Service provided for a Segment (under one or more Service Descriptions) includes more than one communications path, the Interruption allowance shall apply only to the path(s) interrupted.
- (C) An Interruption allowance shall not be applicable for any period during which Customer fails to afford access to any facilities for the purpose of investigating and clearing troubles.
- (D) In the event of interruption of Local Access service provided for under this Tariff, MFI's liability to Customer shall be limited to giving Customer credit for Local Access charges equal to the credit that MFI receives from the local telephone operating company or other third party providing the Local Access service.

2.7.7 Cancellation Credit

Credit and or refunds will be issued for any deposits or amounts billed in advance in the event that MFI should cancel a service, facilities, or provision of equipment; or should the final service period be less than the monthly billing period, when such service or facilities have been billed in advance. All credits shall be netted against outstanding statements less deposits, when determining the final amount due from, or to be credited to, a customer.

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2. Rules and Regulations (Cont'd)

2.7.6 Allowance for Interruption of Service

2.8 Cancellation of Service

2.8.1 Cancellation by MFI

Where the provisions of this Tariff are not complied with by the Customer, including payments not made by the customer on dates or at times herein specified; and after written notice from MFI requesting correction of such non-compliance, MFI may immediately discontinue service without incurring any liability. All applicable charges will then come due immediately, including any applicable minimum service period charges.

If repeated non-compliance by customer occurs, MFI retains the option of denying applications by the customer for new or additional services or facilities until such prior action(s) are corrected.

2.8.2 Cancellation by Customer

If a customer orders service requiring special facilities dedicated to the customer's use and then cancels the order before the service begins, before completion of the minimum period, or before completion of some other period mutually agreed upon between the customer and MFI, a charge will be made to the customer for the non-recoverable portions of expenditures or liabilities incurred expressly on behalf of the customer by MFI. If, based on such an order, any special construction has either begun or been completed, but no such service provided, the non-recoverable cost of such construction shall be borne by the customer.

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2. Rules and Regulations (Cont'd)

2.9 Connections

2.9.1 General

A customer may connect communications services provided by or through other duly authorized and regulated carriers to MFI's services or facilities, subject to the technical interface specifications set forth by MFI; and in conjunction with the conditions of the other carriers' tariffs. Service furnished in such manner by MFI is not part of a joint undertaking with such other carriers.

The customer is responsible for the expense of any special interface equipment or facilities of MFI, or of other participating carriers charges or conditions that may be required to effect such connection(s).

The customer is responsible for taking all necessary legal steps for interconnecting his communications system with MFI's services and facilities, which may include securing all licenses, permits, right-of-way, and other arrangements deemed necessary for such interconnection.

2.9.2 Customer-Provided Terminal Equipment

Facilities and service provided by MFI may be connected with, or terminated in, customer-provided terminal equipment or communications systems, such as Key Systems, PABXs, or data sets, pursuant to Federal Communications Commission Rules, Part 68. The customer will be responsible for the provision, maintenance and expense of such terminal equipment at his premises, including the cost of customer personnel, wiring, electrical power, and the like incurred in his use of MFI's service or facilities.

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Rules and Regulations (Cont'd)

2.9.2 Connections (Cont'd)

When customer-provided equipment is utilized, the customer will be subject to technical interface specifications established by MFI. If additional protective equipment is needed, the customer shall bear the expense of such additional equipment.

The customer shall comply with the following interface minimum protection criteria when using other than MFI's terminal equipment, channel derivation devices, or communications systems:

- (A) To protect MFI facilities from interference at frequencies which are above the bandwidth of facilities provided, MFI will specify the acceptable signal power in the following bands which will be applied by customer-provided equipment or communications systems at the point of termination to insure that the input to MFI's facilities shall not exceed the limits set forth below:

The power in the band from 4,000 Hertz to 10,000 Hertz shall not exceed 16dB below one milliwatt. (-16dBm)

The power in the band from 10,000 Hertz to 25,000 Hertz shall not exceed 24dB below one milliwatt. (-24dBm)

The power in the band from 25,000 Hertz to 40,000 Hertz shall not exceed 36 dB below one milliwatt. (-36dBm)

The power in the band above 40,000 Hertz shall not exceed 50 dB below one milliwatt. (-50dBm)

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Rules and Regulations (Cont'd)

2.9 Connections (Cont'd)

- (B) Where there is a connection of customer service by means of other than MFI provided terminal equipment or communications system to a message telecommunications service or a WATS service, to prevent the interruption or disconnection of a call or interference with network control signaling it is necessary that the signal applied by the other than MFI provided equipment to the interface at no time have energy solely in the 2450 to 2750 Hertz band and when signal power is present in the 2450 to 2750 Hertz band, it must not exceed the power present at the same time in the 800 to 2450 Hertz band.
- (C) Where customer-provided equipment or communications system applies signals having components in the frequency spectrum below 300 Hertz, excluding ringing signals, the currents and voltages (including all harmonics and spurious signals) at the interface shall not exceed the limits indicated in (i) through (vi) following:
- (i) The maximum root-mean-square (rms) value, including dc and ac components, of the current per conductor will not exceed 0.15 ampere.
  - (ii) The magnitude of the peak of the conductor to ground voltage shall not exceed 70 volts.
  - (iii) The conductor to conductor voltage shall be such that the conductor to ground voltage limit in
  - (ii) preceding is not exceeded. If the signal source is not grounded, the voltage limit in

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. Rules and Regulations (Cont'd)

2.9 Connections (Cont'd)

2.9.2 Customer-Provided Terminal Equipment (Cont'd)

(iv) The total weighted rms voltage within the band from 50 Hertz to 300 Hertz shall not exceed 100 volts. The total weighted rms voltage is the square root of the sum of the products of the weighing factors for the individual frequency components times the square root of the rms voltage of the individual frequency components. The weighing factors are as follows:

(iv) <u>for frequencies between</u>	<u>weighing factor</u>
50 Hertz & 100 Hertz	F/10
100 Hertz & 300 Hertz	F/10

where F is the numerical value of the frequency, in Hertz, of the frequency component being weighted.

Where the signal applied by the customer equipment or system will have energy solely in the 2675 to 2750 Hertz band, the customer shall coordinate the application of such signal with MFI.

(v) In the case of connections to other than MFI or customer-provided terminal equipment or communications system, the customer shall insure compliance with (ii) preceding.

(vi) The customer shall also ensure compliance with any physical protective measures and operating procedures equivalent to those utilized by MFI in the supplying of its services to its customers pertaining to

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Rules and Regulations (Cont'd)

2.9 Connections (Cont'd)

2.9.2 Customer-Provided Terminal Equipment (Cont'd)

(C) (Cont'd)

(vi) (Cont'd)

connection of customer-provided terminal equipment  
or communications systems to the services of MFI.

2.10 Specialized Service or Arrangements

A. General

Specialized Service or Arrangements may be provided by MFI, at the request of a Customer, on an individual-case basis if such service or arrangements meet the following criteria:

- The requested service and provisioning of such service is approved by the Kentucky Public Service Commission.
- The requested service or arrangements are not offered under other sections of this Tariff.
- The facilities utilized to provide the requested service or arrangements are of a type normally used by MFI in furnishing its other services.
- The requested service or arrangements are compatible with other MFI services, facilities and its engineering and maintenance practices.
- This offering is subject to the availability of the necessary MFI personnel and capital resources.

2.11 Non-Routine Installation and/or Maintenance Charges

When at the specific request of the customer, installation and/or routine maintenance is performed outside of regular MFI business hours, a special charge may apply. Special charges will be based upon the actual labor, material, and other costs incurred by, or billed to MFI for such installation or maintenance.

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Midwest Fibernet Inc.

INTEREXCHANGE SERVICE  
TARIFF KY. P.S.C. NO. 1

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Section 2  
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2. Rules and Regulations (Cont'd)

2.11 Non-Routine Installation and/or Maintenance Charges (Cont'd)

If installation and/or routine maintenance is begun during regular business hours and, at the request of the customer, is extended beyond these normal business hours for completion of the task, and these circumstances are not the fault of MFI, special charges may apply. Such circumstances include, but are not limited to, weekend, holiday, or night time cutover, and additional installation testing in excess of the normal testing required to provide service.

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### 3. Description of Dedicated Digital Private Line Services

#### 3.1.1 General

MFI provides digital transmission facilities between MFI Service Points which when connected with dedicated access to customer locations, allows for communications between locations of the customer, or his authorized user. These combined facilities are utilized on a dedicated (non-switched) basis between two or more customer locations, as specified by the customer.

#### 3.1.2 Service-Points

MFI Dedicated Digital Private Line Services are available to customers from the Company's premises (the Service Point) at MFI Service Point city in Kentucky's serving area on an InterLATA Basis.

#### 3.1.3 Promotional Offerings

MFI may, from time to time, make promotional offerings to enhance the marketing of its services subject to prior notification and approval by the Kentucky P.S.C.

#### 3.1.4 Description of Services

##### (A) Voice Grade Facility

Two point effective two/four wire voice grade analog or 64 Kbps digital interface (digitalized voice or otherwise compatible 64 Kbps bit stream) facility.

##### (B) DS1/1.544 Mbps Facility

Two point digital interface operating at 1.544 Mbps, which may be furnished on either a channelized or non-channelized basis as specified in Rates following.

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Description of Dedicated Digital Private Line Services (Cont'd)3.1.5 Method of Determining Charges

Mileage is measured and applied based on the distance between the MFI Service Points. The mileage measurements for facilities provided under this tariff are determined by the vertical and horizontal method (V&H) in accordance with the appropriate regulations in American Telephone and Telegraph Company Tariff No. 10.

3.1.6 Engineering, Installation and Maintenance

MFI fully supports the private line services provided under this tariff through engineering, installation and maintenance efforts. MFI will assure that each private line service functions properly within its specified transmission, signaling or switching parameters.

MFI will engineer a private line service to meet its transmission parameters or equipment specifications. MFI will engineer per AT&T Technical Publication as references in AT&T Communication Tariff F.C.C. No. 9

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INTEREXCHANGE SERVICE

3.2 Description of Switched Services

3.2.1 General

MFI offers several switched services. These services allow the customer to originate calls accessing the MFI switched network via the switched public telephone network and special access lines.

(T)

3.2.2 Service-Points

MFI's Switched Services are available to customers from the Company's premises (the Service Points) in Lexington and Louisville for calls terminating in any other LATA in the State.

3.2.3 Promotional Offerings

MFI may, from time to time, make promotional offerings to enhance the marketing of its services.

3.2.4 Description of Services

A) Central Office WATS.

Central Office WATS is designed for the business user with long distance volumes between \$50 and \$5,000 per month or as an overflow service for special access WATS customers.

B) Special Access WATS.

Switched Access is a dedicated access product (T-1 or analog special access line) arrangement in which the customer pays for separate access facilities and benefits from lower rates. This product is designed for customers with long distance volumes in excess of \$5,000 monthly.

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INTEREXCHANGE SERVICE3.2 Description of Switched Services (Cont'd)3.2.4 Description of Services (Cont'd)

## C) CallAdvantage Service

CallAdvantage (non-operator assisted, direct dial) is offered to Customers, including, but not limited to, residential and business Customers, for calling within the State of Kentucky. Customers access MFI via Equal Access FGD circuits and/or other Switched Access Services. Customers can access CallAdvantage Service by dialing 10354 + 1 + area code (if required) + NXX-XXXX. Calls are routed over the Company's transmission and switching facilities to any valid NPA-NXX in the State of Kentucky. Rates and charges for MFI's CallAdvantage Service are based on usage, time of day, day of week and distance, and are set forth in Section 4.5.3 following.

## (D) Solutions Service

Solutions is a product line which offers the following flat-rated services:

Solutions Residential Service and Solutions Business Service are 1+ products.

Solutions Residential Travel Card Service and Solutions Business Travel Card Service provide 800 access Calling Card services.

Solutions 800 Service is a 1+ 800 product designed for business customers.

Solutions 1+ Dedicated Service and Solutions 800 Dedicated Service are dedicated products designed for business customers.

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2 Description of Switched Services (Cont'd)  
3.2.5 Method of Determining Charges

(A) Determination of Duration

For purposes of determining charges for this service, a call begins when the connection is established between the calling station and desired terminating station and ends when the connection is terminated. The methods allow for billing of completed calls only. Subscribers will not be charged for uncompleted calls. N

(B) Determination of Time of Day

(i) Daytime rates shall apply from 8:00 a.m. until 5:00 p.m. except during the holidays.

(ii) Evening rates shall apply from 5:00 p.m. until 11:00 p.m.

(iii) Night/Weekend rates shall apply at all times not listed in i or ii above.

(iv) Holiday rates are the same as Night/Weekend rates. N

(C) Calculation of Charges

Switched Service, rates are per minute of use depending upon the service used. Callers will be billed in partial minute increments based upon the service selected.

(D) Billing

Billing for Switched Service will be done by either the local exchange carrier under billing arrangements or MFI or an appropriate third party.

3.3 Operator Services

3.3.1 General

Operator Service is used when calls are completed with the assistance of an MFI operator for the following:

- Station to Station
- Person to Person
- Third Party Billing

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3.3 Operator Services (Cont'd)3.3.2 Service Points

Operator Services (Inter-LATA only) are available to customers from N presubscribed pay phones and aggregators premises in MFI's previously described service areas. Where aggregators are involved in delivery, explicit prohibitions will be enforced to prevent such aggregators from blocking and intercepting calls. Such prohibitions are outlined in the service contract between MFI and the aggregator and violators will be subject to immediate termination of service after 20 days notice to owners of non-complying customer premise equipment.

3.3.3 Description of Services

## (A) Station to Station

MFI shall accept on Customer's behalf, after validation, either on a verbal basis or through a mechanical data entry system, line numbered calling cards and those non-line numbered calling cards requested by Customer. MFI shall accept on Customer's behalf a billing arrangement whereby the calling party requests that the called party accepts responsibility for payment.

## (B) Third Number Billing

MFI shall accept on Customer's behalf a billing arrangement whereby a third number that is neither the calling nor the called party number is accepted for bill processing ("Third Number Billing"). MFI shall validate request for Third Number Billing through use of databases.

## (C) Person-to-Person

MFI shall accept on Customer's behalf specific customer instructions to complete a person-to-person in lieu of a station call.

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3.3 Operator Services (Cont'd)

N

N

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3.3.4 Method of Determining Charges

N

N

Charges for each Operator Service message are determined based upon the first minute and additional minutes for all messages by class of service per the rates described in section 4.6. In addition, for each Operator handled call type, an Operator Service charge will be added to the first minute of use.

N

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Rates4.1 General

Rates for services/facilities are determined by the: a) distance between MFI Service Points for origination and termination of the service and b) by the sum of the appropriate rate elements for each service, by the duration and/or by the time of day, monthly mileage, channel terminations, installation charges and Service Order(s).

4.2 Customer-Caused Trouble Charge

If an interruption or impairment occurs on a service, MFI is responsible for receiving trouble reports from its Customer and must determine whether the fault is in (1) connected equipment or system or (2) the Customer facilities or (3) the Local Access Service or (4) any other service provided by MFI. MFI will test and maintain only that service or equipment which it provides except as set forth in Section 6, following.

Maintenance of Service Charges, as set forth in Section 6, following, apply if the Customer requests MFI to clear trouble and all MFI provided services, facilities and equipment are found to be functioning correctly.

4.3 Voice Grade Facility (2.4 - 4.8 - 9.6 -Kbps, 9.6 DS0, 56k DDS)

- (A) Monthly mileage: to determine the total, multiply the number of miles times the rate per mile and add the fixed monthly rate.

Mileage BandsMonthly Charges per Circuit Mile30 Day Term

	Fixed	Per Mile
0 - 50	\$ 58.00	\$ 2.27
51 - 100	\$119.00	\$ 1.05
101+	\$198.00	\$ .26

- (B) Installation Charges: Per End Analog \$150.00 DDS \$225.00

- (C) Term Discounts Applicable to Monthly Recurring Charges

Contract Years	1	3	5
Discount	3%	7%	10%

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- (D) Multiple Service Discounts: Individual Cases subject to KPSC approval.

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4. Rates (Cont'd)4.4 DS1/1.544 Digital Facility

- (A) Monthly mileage: to determine the total, multiply the number of miles times the rate per mile and add the fixed monthly rate.

<u>Mileage Band</u>	<u>Monthly Charge per Circuit Mile</u>	
	<u>1 Year Term</u>	
	Fixed	Per Mile
0 - 50	\$ 1,400.00	\$8.00
50 - 100	\$ 1,450.00	\$7.50
101+	\$ 1,620.00	\$6.46

- (B) \*Channel Terminations:

- 1) Non-channelized
- 2) Channelized - Arrangement that provides a 1.544 Mbps capacity to derive 24 voice grade equivalent channels:

	<u>Monthly</u>	<u>Non-Recurring Charge</u>
a) Common equipment	*Individual Case Basis	*Individual Case Basis
b) per VF equivalent channel	*Individual Case Basis, etc.	*Individual Case Basis

- (C) Installation Charges: Per End \$300.00

- (D) Term Discounts Applicable to Monthly Recurring Charges

Contract Years	2	3	4	5
Discount	5%	7%	9%	12%

- (E) Multiple Service Discounts ICB - Subject to KPSC approval.

\* Subject to KPSC approval.

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4.5 Switched Services

## 4.5.1 Central Office WATS - Rates per Minute of Use (MOU)

- |     |            |                |                           |
|-----|------------|----------------|---------------------------|
| (A) | <u>Day</u> | <u>Evening</u> | <u>Night/<br/>Weekend</u> |
|     | .1678      | .1316          | .1034                     |
- (B) Monthly Service Fee                      None
- (C) Installation                                  None
- (D) Billing Increments: Six second increments with 30 second minimum.
- (E) Volume Discounts:    \$ 200 - 1000    8%  
   \$1,001 and over    15%

4.5.2 Special Access WATS Rates per Minute of Use (MOU)

- |     |            |                |                |
|-----|------------|----------------|----------------|
| (A) | <u>Day</u> | <u>Evening</u> | <u>NT/WKND</u> |
|     | .1088      | .0780          | .0700          |
- (B) Monthly Service Fee: \$25.00
- (C) Installation and Sign-Up: \*Individual Case Basis
- (D) Originating                                  : \*Individual Case Basis
- (E) Other Charges                                : \*Individual Case Basis
- (F) Volume Discounts                            :    \$        0 - \$ 5,000    0%  
   \$ 5,001 - \$10,000    5%  
   \$10,001 and over    10%
- (G) Billing increments: Six second increments with 18 second minimum.

\* Subject to KPSC approval.

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## INTEREXCHANGE SERVICE

4.5 Switched Services (Cont'd)

## 4.5.3 CallAdvantage Rates per Minute

(N)

## (A) INTERLATA Rate Schedule

<u>Mileage</u>	<u>First Minute</u>			<u>Each Add'l Minute</u>		
	<u>Day</u>	<u>Eve</u>	<u>N/W</u>	<u>Day</u>	<u>Eve</u>	<u>N/W</u>
1-10	\$.2070	\$.1710	\$.1381	\$.1620	\$.1283	\$.1009
11-16	.2070	.1710	.1381	.1620	.1283	.1009
17-22	.2160	.1710	.1381	.1890	.1305	.1209
23-30	.2160	.1710	.1381	.1890	.1305	.1209
31-55	.2340	.1751	.1440	.2250	.1643	.1440
56-85	.2700	.1935	.1499	.2520	.1800	.1499
86-124	.2700	.1935	.1593	.2520	.1800	.1535
125-196	.3060	.2250	.1746	.2970	.2070	.1746
197-292	.3060	.2250	.1746	.2970	.2160	.1746
293-430	.3240	.2338	.1812	.3150	.2282	.1812

## (B) INTRALATA Rate Schedule

<u>Mileage</u>	<u>First Minute</u>			<u>Each Add'l Minute</u>		
	<u>Day</u>	<u>Eve</u>	<u>N/W</u>	<u>Day</u>	<u>Eve</u>	<u>N/W</u>
0-10	\$.1598	\$.1038	\$.0639	\$.1260	\$.0819	\$.0504
11-16	.1688	.1097	.0675	.1688	.1097	.0675
17-22	.1688	.1097	.0675	.1688	.1097	.0675
23-30	.1778	.1155	.0711	.1778	.1155	.0711
31-40	.1778	.1155	.0711	.1778	.1155	.0711
41-55	.1778	.1155	.0711	.1778	.1155	.0711
56-70	.1800	.1170	.0720	.1800	.1170	.0720
71-85	.1800	.1170	.0720	.1800	.1170	.0720
86-100	.1845	.1199	.0738	.1845	.1199	.0738
101-124	.1845	.1199	.0738	.1845	.1199	.0738
125-148	.1926	.1252	.0770	.1926	.1252	.0770
149+	.1926	.1252	.0770	.1926	.1252	.0770

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PURSUANT TO 807 KAR 5.011,  
SECTION 9(1)BY: Jordan C. Neal  
FOR THE PUBLIC SERVICE COMMISSION

ISSUED: July 13, 1995

EFFECTIVE: August 14, 1995

J. L. Patrick, V.P. & Controller  
121 South 17th Street  
Mattoon, IL 61938

## INTEREXCHANGE SERVICE

4.6 Operator Services

## (A) Rates for each Operator Service

RATE MILEAGE	DAY		EVENING		NIGHT/WEEKEND		
	FIRST MINUTE	EACH ADD'L MINUTE	FIRST MINUTE	EACH ADD'L MINUTE	FIRST MINUTE	EACH ADD'L MINUTE	
1 - 10	\$.2200	\$.1800	\$.1694	\$.1284	\$.1342	\$.1050	(R)
11 - 16	.2200	.1800	.1694	.1284	.1342	.1050	
17 - 22	.2200	.1900	.1694	.1463	.1342	.1159	
23 - 30	.2200	.1900	.1694	.1463	.1342	.1159	
31 - 55	.2500	.2500	.1925	.1925	.1525	.1525	
56 - 85	.2900	.2900	.2233	.2233	.1768	.1768	
86 - 124	.2900	.2900	.2233	.2233	.1768	.1768	
125 - 196	.2900	.2900	.2233	.2233	.1768	.1768	
197 - 292	.3400	.3400	.2618	.2618	.2000	.2000	
293 - 430	.3400	.3400	.2618	.2618	.2000	.2000	(R)

## (B) Service Charges

Customer Dialed Calling Card Station	\$ .80	(I)
Operator Dialed Calling Card Station	\$2.15	(N)
Operator Station		
Collect	\$2.15	(I)
Third Number Billing	\$2.25	
Person to Person	\$4.50	(I)
Operator Dialed Surcharge	\$1.00	(N)
Directory Assistance	\$ .60	

PUBLIC SERVICE COMMISSION  
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BY: Jordan C. Neel  
FOR THE PUBLIC SERVICE COMMISSION

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INTEREXCHANGE SERVICE4.7 Solutions

## 4.7.1 Solutions Residential Service

(N)

<u>Rate Period</u>	<u>Rate</u>
Day	.2200
Evening	.1000
Night/Weekend	.1000

Billing increments of 1 minute after a 1 minute minimum.

## 4.7.2 Solutions Business Service

<u>Term</u>	<u>Rate</u>
Monthly Base	.1300
One-Year Term	.1240
Two-Year Term	.1170

Billing increments of 6 seconds after a 6 second minimum.

(N)

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PURSUANT TO 807 KAR 5011.  
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FOR THE PUBLIC SERVICE COMMISSION

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Mattoon, IL 61938

## INTEREXCHANGE SERVICE

4.7 Solutions (Cont'd)

## 4.7.3 Solutions Residential Travel Card Service (N)

<u>Rate Period</u>	<u>Rate</u>
Day	.2400
Evening	.1600
Night/Weekend	.1300

Billing increments of 1 minute after a 1 minute minimum.

Surcharge of \$.60 per call applies.

## ENHANCED FEATURES:

<u>Option</u>	<u>Surcharge</u>	<u>Per Minute Peak</u>	<u>Per Minute Off-Peak</u>
Directory Assistance	.80	.2500	.2500
Voice Message Center	.15	.1450	.1450
Audiotext	.00	.2500	.2500
Speed Dial Memory	.15	.1450	.1450
Conference Calling	2.00	.3500	.2500
Voice Message Delivery	1.25	.0000	.0000

PEAK: 8:00 am - 4:59 pm, Monday-Friday  
OFF-PEAK: 5:00 pm-7:59 am, Monday-Friday;  
All day Saturday and Sunday

## 4.7.4 Solutions Business Travel Card Service

<u>Rate Period</u>	<u>Rate</u>
Day/Eve/NW	.2500

Billing increments of 6 seconds after a 6 second minimum.

No surcharge applies.

Enhanced features are the same as specified in 4.7.3 above.

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INTEREXCHANGE SERVICE4.7 Solutions (Cont'd)

## 4.7.5 Solutions 800 Service

(N)

<u>Term</u>	<u>Rate</u>
Monthly Base	.1300
One-Year Term	.1240
Two-Year Term	.1170

Billing increments of 6 seconds after a 6 second minimum.

## 4.7.6 Solutions 1+ Dedicated Service

<u>Term</u>	<u>Rate</u>
Monthly Base	.0750
One-Year Term	.0713
Two-Year Term	.0675

Billing increments of 6 seconds after a 6 second minimum.

## 4.7.7 Solutions 800 Dedicated Service

<u>Term</u>	<u>Rate</u>
Monthly Base	.1000
One-Year Term	.0950
Two-Year Term	.0900

Billing increments of 6 seconds after a 6 second minimum.

(N)

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Ordering Options for Local Access Service5.1 General

This section sets forth the regulations and order related charges for Access Orders for Special Access Services. These charges are in addition to other applicable charges as set forth in other sections of this tariff.

An Access Order is an order to provide the customer with Special Access Service or to provide changes to existing services. At Customer's request, MFI will arrange for Special Access to connect Customer's premise to the MFI Service Point. If Special Access is to be obtained from another telecommunications carrier, MFI will, upon mutual agreement with Customer order such Special Access in its name on behalf of Customer. Customer shall pay MFI, in addition to the charges specified elsewhere in this tariff, the initial and recurring charges for such Special Access as billed to MFI by the other telecommunications carrier, plus 10 percent to cover MFI's administrative and billing costs.

5.1.1 Ordering Conditions

A customer may order any number of services of the same type and between the same premises on a single Access Order. All details for services for a particular order must be identical except for those for multipoint service.

The customer shall provide all information necessary for MFI to provide and bill for the requested service. In addition to the order information required in 5.2 following, the customer must also provide:

- Customer name and premises address(es).
- Billing name and address (when different from customer name and address).
- Customer contact name(s) and telephone number(s) for the following provisioning activities: order negotiation, order confirmation, interactive design, installation and billing.

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BY: *Sharon Miller*  
PUBLIC SERVICE COMMISSION MANAGER

5. Ordering Options for Local Access Service (Cont'd)

5.1 General (Cont'd)

5.1.2 Provision of Other Services

- (A) Testing Service and Additional Labor shall be ordered with an Access Order or as set forth in other sections of this tariff and will apply in addition to the ordering charges set forth in this section and the rates and charges for the Local Access Service with which they are associated.
- (B) With the agreement of MFI, the items listed in (A) preceding may subsequently be added to the order at any time, up to and including the service date for the Access Service.
- (C) Additional Engineering is not an ordering option, but will be applied to an Access Order when MFI determines that Additional Engineering is necessary to accommodate a customer request. Additional Engineering will only be required as set forth in 6.1 following. When it is required, the customer will be so notified and will be furnished with a written statement setting forth the justification for the Additional Engineering as well as an estimate of the charges. If the customer agrees to the Additional Engineering, a firm order will be established. If the customer does not want the service or facilities after being notified that Additional Engineering of MFI facilities is required, the order will be withdrawn and no charges will apply. Once a firm order has been established, the total charge to the customer for the Additional Engineering may not exceed the estimated amount by more than 10%.

The regulations, rates and charges for Additional Engineering are as set forth in 6.1 following and are in addition to the regulations, rates and charges specified in this section.

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SECTION 9 (1)  
BY: *[Signature]*  
PUBLIC SERVICE COMMISSION MANAGER

5. Ordering Options for Local Access Service (Cont'd)5.1 General (Cont'd)

## 5.1.3 Special Construction

Special Construction is not an ordering option, but will be applied to an Access Order when MFI determines Special Construction is necessary to accommodate a customer request. When Special Construction is required, the customer will be so notified and will be furnished with a written statement setting forth the justification for the Special Construction as well as an estimate of the charges.

If the customer agrees to the Special Construction, a firm order will be established. If the customer does not want the service or facilities after being notified that Special Construction is required, the order will be withdrawn and no charges will apply.

5.2 Access Order

An Access Order is used by MFI to provide a customer Local Access Service as follows:

- Other Services as set forth in 5.1.2 preceding.

When placing an order for Local Access Service, the customer shall provide, at a minimum, the following information:

- For all Local Access Services, the customer must specify the customer designated premises, the type of service (e.g., Voice Grade, High Capacity, etc.), type of facility (i.e., Two-wire or Four-wire).

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BY: [Signature]  
PUBLIC SERVICE COMMISSION MANAGER

5. Ordering Options for Local Access Service (Cont'd)

5.2 Access Order (Cont'd)

5.2.1 Access Order Service Date Intervals

(A) MFI will provide the Local Access Service in accordance with the customer's requested service date, subject to the following conditions:

- (1) MFI will not accept orders for service dates more than six months after the date of the order.

Local Access Service will be installed during MFI business days. If a customer requests that installation be done outside of scheduled work hours, and MFI agrees to this request, the customer will be subject to applicable Additional Charges as set forth in 6.2.6 following.

5.2.2 Minimum Period Charges

When Local Access Service is disconnected prior to the expiration of the minimum period, charges are applicable for the balance of the minimum period. A disconnect constitutes facilities being returned to available inventory.

The Minimum Period Charge for monthly billed services will be determined as follows:

- (A) For Special Access Service, the charge for a month or fraction thereof is the applicable monthly rates for the appropriate channel type as set forth in 4.3 through 4.4 preceding.

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6. Additional Engineering, Additional Labor and Miscellaneous Services6.1 Additional Engineering

Additional Engineering is that engineering or engineering consultation requested by the Customer as set forth in paragraphs 6.1.1 through Paragraph 6.1.2, following. MFI will notify the Customer that additional engineering charges will apply before any additional engineering is undertaken.

6.1.1 Engineering Consultation

Engineering Consultation involves technical advice from MFI to the Customer not in connection with a specific order. Engineering consultation also includes situations in which the Customer requests MFI to provide information or to perform a function which will entail additional engineering by MFI. Inquiries of a short duration in which no significant engineering time is required and inquiries associated with Customer service forecasts are not included.

6.1.2 Charges for Additional Engineering

The charges for additional engineering are as follows:

<u>Additional Engineering Periods</u>	<u>First Half Hour or Fraction Thereof</u>	<u>Each Additional Half Hour or Fraction Thereof</u>
Basic Time, regularly scheduled working hours, per engineer . . . . .	\$30.00	\$27.50

6.2 Additional Labor

Additional labor is that labor requested by the Customer on a given service and agreed to by MFI as set forth in Paragraphs 6.2.1 through 6.2.5, following. MFI will notify the Customer that additional labor charges as set forth in Paragraph 6.2.6, following, will apply before any additional labor is undertaken.

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6. Additional Engineering, Additional Labor and Miscellaneous Services  
(Cont'd)6.2 Additional Labor (Cont'd)

## 6.2.1 Overtime Installation

Overtime installation is that MFI installation effort outside of regularly scheduled working hours.

## 6.2.2 Overtime Repair

Overtime repair is that MFI maintenance effort performed outside of regularly scheduled working hours.

## 6.2.3 Stand By

Stand by includes all time in excess of one-half (1/2) hour during which MFI personnel stand by to make installation acceptance tests or cooperative tests with a Customer to verify facility repair on a given service.

## 6.2.4 Testing and Maintenance with Other Telecommunications Carriers

Additional testing, maintenance or repair of facilities which connect to facilities of other telecommunications carriers, if they are not Concurring Carriers, which is in addition to normal effort required to test, maintain or repair facilities provided solely by MFI.

## 6.2.5 Other Labor

Other labor is that additional labor not included in Paragraphs 6.2.1 through 6.2.4, preceding.

## 6.2.6 Charges for Additional Labor

The charges for additional labor are as follows:

Additional Labor Periods	First Half Hour or Fraction Thereof	Each Additional Half Hour or Fraction Thereof
	<u>Thereof</u>	<u>Thereof</u>
Installation or Repair-		PUBLIC SERVICE COMMISSION OF KENTUCKY EFFECTIVE
Standby-Testing or		
Other Labor	\$27.50	
		\$25.00

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PUBLIC SERVICE COMMISSION MANAGER

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6. Additional Engineering, Additional Labor and Miscellaneous Services  
(Cont'd)

6.2 Additional Labor (Cont'd)

- Overtime, outside of  
regularly scheduled  
working hours, on a  
scheduled work day,  
per technician . . . (1) \$32.50 (1) \$30.00

- Premium Time,  
outside of scheduled  
work day,  
per technician . . . (1) \$35.00 (1) \$32.50

(1) A call-out of a MFI employee at a time not consecutive with the  
employee's scheduled work period is subject to a minimum charge of  
four hours.

6.3 Maintenance of Service

6.3.1 When a Customer reports a trouble to MFI for clearance,  
the Customer shall be responsible for payment of a  
Maintenance of Service Charge when:

A. The trouble is observed to be in the equipment or  
communications systems provided by other than MFI,  
or

B. No trouble is found in MFI's facilities.

In either case, no credit allowance will be applicable for  
the interruption involved.

6.3.2 MFI will advise the Customer that it may be responsible  
for payment of a Maintenance of Service Charge should  
either of the conditions in Section 6.3.1 preceding,  
apply.

6.3.3 The charges for Maintenance of Service are included in  
Paragraph 6.2.6 Charges for Additional Labor.

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